**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE SIDE**

**WRIT PETITION NO.6161 of 2006**

Jaykumar Sethy & Anr ...Petitioners

Vs.

Dena Bank ..Respondents

None for the Petitioners

**CORAM : F.I. REBELLO &**
**S.J.VAZIFDAR, JJ.**
**DATED : 13TH FEBRUARY 2007**

**P.C.**

. When the matter is called out none present for the petitioners. We have perused the impugned order. The learned D.R.T. by an order dated 10th November, 2004 allowed the application for setting aside the abatement and bringing on record the legal heirs of deceased defendant No.3. An appeal was preferred against the said order. The Appellate Tribunal after going into the issues and hearing the arguments of the parties found no case for interference. The order passed is a just and fair order. It does not suffer from any error apparent on the face of the record.

Consequently, petition dismissed.

(**F.I. REBELLO**, J)

(**S.J.VAZIFDAR, J)**